

TITLE V APPLICATION REVIEW

Fiberglass Insulation Manufacturing Operation

Facility #: C-261 **Proc. Engineer:** Brian J. Johnson
Project #: 960661 **Date of Review:** 03/05/98
Date Deemed Complete: 03/03/97

Facility Name: CertainTeed Corporation
Mailing Address: 17775 Avenue 23½
Chowchilla, CA 93610

Contact Person: Jeffrey T. Curtin
Phone: (209) 665-4831, ext. 326

Responsible Official: George Warshel
Title: Plant Manager

I. PROPOSAL

CertainTeed Corporation is proposing that initial Title V permits be issued for their existing fiberglass insulation manufacturing operation located in Chowchilla, CA. The purpose of this evaluation is to identify all applicable requirements, determine if the facility will comply with those applicable requirements, and to provide the legal and factual basis for proposed permit conditions.

II. FACILITY LOCATION

The CertainTeed Corporation operation is located at 17775 Avenue 23½ in Chowchilla California.

III. EQUIPMENT LISTING

A detailed facility printout listing all permitted equipment at the facility is shown in Attachment A.

A summary of the exempt equipment categories which describe the insignificant activities or equipment at the facility not requiring a permit is shown in Attachment B. This equipment is not exempt from facility-wide requirements.

IV. MODEL GENERAL PERMIT TEMPLATE USAGE

A model general permit template specifies the necessary requirements for a particular source category. Requirements of an approved template have undergone the public review during development as specified in District Rule 2520, Section 11.1, and are not repeated here. Therefore, for all devices that use templates, only the applicability determination of a particular permit unit are subject to public notice. All template conditions are fully incorporated into each respective permit unit.

This applicant has submitted TQF SJV-UM-0-0 for the Title V facility wide umbrella permit. The TQF has been properly signed and dated, and is valid for all Title V sources.

The applicant is also proposing to use SJV-IC-1-0 model general template to address general applicable requirements for five (5) diesel fired internal combustion engines. Five complete and signed TQFs have been submitted for District Permits to Operate C-261-27-0 through 31-0.

V. SCOPE OF EPA AND PUBLIC REVIEW

Segments of the proposed Operating Permit are based on model general permit templates that have been previously subject to EPA and public review. The terms and conditions from the model general permit templates are included in the proposed permit and are not subject to further EPA and public review.

For permit applications utilizing model general permit templates, public and agency comments on the District's proposed actions are limited to the applicant's eligibility for model general permit template, applicable requirements not covered by the model general permit template, and the applicable procedural requirements for issuance of Title V Operating Permits.

The following permit conditions, including their underlying applicable requirements, originate from model general permit templates and are not subject to further EPA and Public review:

Conditions 1-39 of the facility wide requirements (C-261-0-0), and
Conditions 2-12 of the requirements for permit units C-261-27-1 through
31-1.

VI. APPLICABLE REQUIREMENTS ADDRESSED BY MODEL GENERAL PERMIT TEMPLATES

District Rule 1100 - Equipment Breakdown (Last Amended 12/17/92)¹

District Rule 1160 - Emission Statements (Adopted 11/18/92)¹

District Rule 2010 - Permits Required (Last Amended 12/17/92)¹

District Rule 2020 - Exemptions (Last Amended 12/21/94)²

District Rule 2031 - Transfer of Permits (Last Amended 12/17/92)¹

District Rule 2040 - Applications (Last Amended 12/17/92)¹

District Rule 2070 - Standards for Granting Applications (Last Amended 12/17/92)¹

District Rule 2080 - Conditional Approval (Last Amended 12/17/92)¹

District Rule 2520 - Federally Mandated Operating Permits, Sections 5.2, 9.5.1, 9.5.2, 9.6.1, 9.6.2, 9.8, 9.9.1, 9.9.2, 9.9.3, 9.9.4, 9.9.5, 9.10, 9.13.1, 9.14.1, 9.14.2, 9.17, and 10.0 (Adopted 06/15/95)¹

District Rule 4101 - Visible Emissions (Last Amended 12/17/92)¹

District Rule 4601 - Architectural Coatings (Last Amended 12/17/92)¹

District Rule 8020, 8030, and 8060 - Fugitive Dust (PM₁₀) Emissions (Last Amended 4/25/96)¹

40 CFR Part 82 - Subpart F, Stratospheric Ozone¹

40 CFR Part 61 - Subpart M, National Emission Standard for Asbestos¹

District Rule 4201-Particulate Matter Concentration (Last Amended 12/17/92)³

Madera County APCD Rule 404 - Sulfur Compounds²

¹ General Permit Template SJV-UM-0-0 addressed these requirements for operating permit C-261-0-0

² General Permit Template SJV-UM-0-0 addressed these requirements for operating permit C-261-0-0

³ General Permit Template SJV-IC-1-0 addressed these requirements for operating permits C-261-27-1 through 31-1

District Rule 2520, 9.4.2, 9.5.2 - Periodic Monitoring and Recordkeeping (Adopted 06/15/95)²

VII. APPLICABLE REQUIREMENTS NOT ADDRESSED BY MODEL GENERAL PERMIT TEMPLATES

District Rule 1081 - Source Sampling (Last Amended 12/17/92)

District New and Modified Stationary Source Review Rule (Last Amended 06/15/95)

District Rule 2520; 9.4.2 - Federally Mandated Operating Permits (Last Amended 06/15/95)

District Rule 4201 - Particulate Matter Concentration (Last Amended 12/17/92)

District Rule 4202 - Particulate Matter Emission Rate (Last Amended 12/17/92)

District Rule 4354 - Glass Melting Furnaces (Last Amended 09/14/94)

Madera County APCD Rule 404 - Sulfur Compounds (Adopted 05/08/84)

40 CFR Part 68 - Chemical Accident Prevention Provisions (Adopted 1/31/94)

40 CFR 60 PSD Permit SJ 80-02 (Last Amended 09/04/92)

VIII. REQUIREMENTS NOT FEDERALLY ENFORCEABLE

For each Title V source, the District issues a single permit that contains the Federally Enforceable requirements, as well as the District-only requirements. The District-only requirements are not a part of the Title V Operating Permits. The terms and conditions that are part of the facility's Operating Permit are designated as Federally Enforceable Through Title V Permit.

For this facility, condition 3 of the requirements for permit unit C-261-1-2; condition 2 of the requirements for permit units C-261-3-1 and 4-2; and condition 1 of the requirements for permit units 261-27-1 through 31-1 are not federally enforceable through Title V.

IX. COMPLIANCE

A. Requirements Addressed by Model Permit Templates

1. Facility Wide Requirements

The applicant is proposing to use general model permit template SJV-UM-0-0 to address federally applicable facility wide requirements. A compliance demonstration has been done in section IV of the template. Template conditions have been added to the permit as conditions 1-39 in the facility wide requirements (C-261-0-0) to ensure compliance with these requirements

2. Internal Combustion Engines

The applicant is also proposing to use general model permit template SJV-IC-1-0 to address federally applicable requirements for five (5) diesel fired internal combustion engines (C-261-27-0 through 31-0). A compliance demonstration has been done in section IV of the template. Template conditions have been added to the permit as conditions 2-12 in the requirements for permit units C-261-27-1 through 31-1 to ensure compliance with these requirements.

B. Requirements not Addressed by Model General Permit Templates

1. District New and Modified Stationary Source Review Rule (NSR)

Permit to Operate (PTO) C-0261-1-1 was issued from an action taken on Authority to Construct (ATC) C-261-2-3. During the modification of the glass furnace operated at the facility, the District took corrective measures to bring the facility's permits into compliance with the District's definition of a 'permit unit'. The original ATC was broken into four separate PTOs (C-261-1-1, C-261-2-3, C-261-3-0, and C-261-4-0).

a. Batch Material Handling and Storage

Permit unit C-261-1-1 was not subject to the District NSR Rule at the time a modified permit was issued for this unit on 12/22/93, and the unit has not undergone any NSR modification.

Since no District NSR permit was issued, the only federally enforceable requirements will be from District Prohibitory

Rules which have been adopted into the SIP, or those requirements which have been placed on the facility's Prevention of Significant Deterioration (PSD) permit.

b. Glass Melting Furnace

As described previously, the glass melting furnace permit was originally combined with several other permit units onto one district permit. These units were then separated onto four permits. However, the original ATC was written so as to focus upon the glass melting furnace, and therefore contains conditions which predominately are in reference to its operation and performance. Therefore, it has been determined that ATC C-261-2-3 issued on 12/12/95 is applicable and does contain federally enforceable NSR requirements for this permit unit.

- Condition 1 from the ATC was included as condition 1 of the requirements for permit unit C-261-2-5 without change.
- Condition 2 from the ATC is redundant with the facility wide requirement (C-261-0-0) condition 22. Both conditions required an opacity limit of 20% or Ringleman 1.
- Condition 3 from the ATC was included as condition 42 of the facility-wide requirements (C-261-0-0) without change.
- Condition 4 from the ATC was included as condition 43 of the facility-wide requirements (C-261-0-0) without change.
- Condition 5 from the ATC was administratively rewritten to provide clarification of current District Rule 1100 -Equipment Breakdown provisions. The condition is enforced in the facility wide requirements (C-261-0-0) as conditions 1 and 2.
- Conditions 6, 7, and 8 from the ATC were removed as redundant to conditions 18-21 of the facility wide requirements (C-261-0-0). The conditions require compliance with current District Rule 2520 section 9.14.2 provisions which allow for District representatives to have access to all District mandated records.
- Condition 9 from the ATC was included as condition 2 of the requirements for permit unit C-261-2-5 without change.
- Condition 10 from the ATC is considered extraneous and unnecessary for an Operating Permit, therefore it has been omitted. The condition described a pre-construction requirement for ATC implementation.
- Condition 11 from the ATC is considered redundant with condition 44 of the facility-wide requirements, therefore it has

been omitted. The condition indicated that, upon transfer of ownership, all ATC conditions are binding.

- Condition 12 from the ATC is redundant with the facility wide requirements (C-261-0-0) condition 12. Both conditions refer to the severability of individual permit conditions from the permit.
- Condition 13 from the ATC has been included in the facility-wide requirements (C-261-0-0) as condition 46 without change.
- Condition 14 from the ATC has been included in the facility-wide requirements (C-261-0-0) as condition 41 without change.
- Condition 15 from the ATC has been included in the requirements for permit unit C-261-2-5 as condition 3. The wording of the included condition has been rewritten without changing the requirement to reflect the wording found in the current PSD permit. Both conditions allow the facility to source test at a production rate less than maximum capacity and to test on only the fuel expected to be used in the next 12 months.
- Condition 16 from the ATC has been rewritten to match the wording found in the PSD. The requirement is now enforced in the requirements for permit unit C-261-2-5 as conditions 6 and 7.
- Conditions 17 and 18 from the ATC have been included as conditions 8 and 9 of the requirements for permit unit C-261-2-5 without change.
- Condition 19 from the ATC has been made more stringent by requiring all natural gas used at the facility to be PUC regulated. The facility has agreed. The facility has indicated that they have historically always used PUC regulated natural gas and has no plans to change. The requirement is now enforced in the requirements for permit unit C-261-2-5 as condition 10.
- Condition 20 from the ATC has been included as condition 11 of the requirements for permit unit C-261-2-5 without change.
- Condition 21 from the ATC is a startup condition fulfilled upon completion of construction and is considered extraneous and unnecessary for an Operating Permit. Therefore, it has been omitted.
- Conditions 22-31 from the ATC have been included as conditions 12-21 of the requirements for permit unit C-261-2-5 without change.
- Condition 32 from the ATC is redundant to condition 9 of the facility wide requirements (C-261-0-0) which requires the

maintenance of records for 5 years to establish compliance with District Rule 2520 section 9.5.2.

- Conditions 33-35 from the ATC have been included in the requirements for permit unit C-261-2-5 as conditions 22-24 without change.
- Condition 36 from the ATC has been rewritten to match the wording found in the PSD. The requirement is now enforced by condition 45 of the facility-wide requirements (C-261-0-0).
- Condition 37 from the ATC has been included as condition 25 of the requirements for permit unit C-261-2-5 without change.
- Conditions 38 and 39 from the ATC have been included in the facility-wide requirements (C-261-0-0) as conditions 47 and 48 without change.
- Conditions 40-44 from the ATC have been included in the requirements for permit unit C-261-2-5 as conditions 26-30 without change.

When issuing the current District PTO, minor modifications were made to the permit conditions. ATC permit conditions 10, 11, and 12 were removed as obsolete or redundant. These changes have been explained above. All other ATC conditions are duplicated on the PTO.

c. C-11 Production Line Unit

As discussed above, the C-11 and C-12 production line units were placed into PTOs C-261-3-0 and C-261-4-0. Since C-261-3-0 has not received a District NSR permit, the only federally enforceable requirements will be from District Prohibitory Rules which have been adopted into the SIP or those which have been placed on the facility's PSD permit.

d. C-12 Production Line Unit

As discussed above, the C-11 and C-12 production line units were placed into PTOs C-261-3-0 and C-261-4-0. However, the C-12 production line has since undergone a modification and was therefore issued ATC C-216-4-1.

- Condition 1 from the ATC was included as condition 1 of the requirements for permit unit C-261-4-2 without change.
- Condition 2 from the ATC is redundant with the facility wide requirement (C-261-0-0) condition 22. Both conditions required an opacity limit of 20% or Ringleman 1.

- Condition 3 from the ATC was included as condition 2 of the requirements for permit unit C-261-4-2 without change. This condition is not federally enforceable because it is based on the public nuisance requirements of the California Health and Safety Code rather than a federally applicable requirement.
- Condition 4 from the ATC was included as condition 41 of the facility-wide requirements (C-261-0-0) without change.
- Condition 5 from the ATC was included as condition 43 of the facility-wide requirements (C-261-0-0) without change
- Condition 6 from the ATC was rewritten to provide clarification of current District Rule 1100 -Equipment Breakdown provisions. The condition is included in the facility wide requirements (C-261-0-0) as conditions 1 and 2.
- Conditions 7-9 from the ATC were removed as redundant to conditions 18-21 of the facility wide requirements (C-261-0-0). The conditions require compliance with current District Rule 2520 section 9.14.2 provisions which allow for District representatives to have access to all District mandated records.
- Condition 10 from the ATC was included as condition 3 of the requirements for permit unit C-261-4-2 without change.
- Condition 11 from the ATC was included as condition 44 of the facility-wide requirements (C-261-0-0) without change.
- Condition 12 from the ATC is redundant with the facility wide requirements (C-261-0-0) condition 12. Both conditions refer to the severability of individual permit conditions from the permit.
- Condition 13 from the ATC was included as condition 42 of the facility-wide requirements (C-261-0-0) without change
- Condition 14 from the ATC has been included in the requirements for permit unit C-261-4-2 as condition 4. The wording of the included condition has been rewritten without changing the requirement to reflect the wording found in the current PSD permit. Both conditions allow the facility to source test at a production rate less than maximum capacity and to test on only the fuel expected to be used in the next 12 months
- Condition 15 from the ATC has been made more stringent by requiring all natural gas used at the facility to be PUC regulated. The facility has agreed. The facility has indicated that they have historically always used PUC regulated natural gas and has no plans to change. The requirement is now enforced in the requirements for permit unit C-261-4-2 as condition 6.

- Conditions 16-24 from the ATC have been included in the requirements for permit unit C-261-4-2 as conditions 7-16 without change.
- Condition 25 from the ATC is redundant to condition 9 of the facility wide requirements (C-261-0-0) which requires the maintenance of records for 5 years to establish compliance with District Rule 2520 section 9.5.2.
- Condition 26 has been removed as redundant with condition 36 of the requirements for permit unit C-261-2-5. Both conditions require continuous emissions monitoring on the final stack. All final stack requirements are enforced by the conditions of permit unit C-261-2-5.
- Conditions 27-29 from the ATC have been included as conditions 14-16 of the requirements for permit unit C-261-4-2 without change.
- Condition 30 has been removed as redundant with condition 35 of the requirements for permit unit C-261-2-5. Both conditions require continuous emissions monitoring on the final stack. All final stack requirements are enforced by the conditions of permit unit C-261-2-5.
- Conditions 31 and 32 from the ATC were included as conditions 47 and 48 of the facility-wide requirements (C-261-0-0) without change.
- Conditions 33 and 34 from the ATC have been included as conditions 17 and 18 of the requirements for permit unit C-261-4-2 without change.

e. Internal Combustion Engines

District Permit units C-0261-27-0 through 31-0 were not subject to District NSR Rule at the time the applicant applied for PTOs for these units. The PTOs were issued by the District in 1993.

2. District Rule 1081 - Source Sampling

Section 3.0 presents the requirements for sampling facilities including sampling ports, platforms, and access to sampling platforms. Permit conditions have been added to ensure compliance with this rule. See condition 43 of the facility-wide requirements (C-261-0-0).

Section 5.0 requires that test methods used be in accord with 40 CFR Part 60 Appendix A. Source tests at the facility will continue to meet federal and District requirements. Permit conditions have been added to ensure compliance with this rule. See condition 43 of the

facility-wide requirements (C-261-0-0) and condition 17 of the requirements for permit unit C-261-2-5.

Section 6.0 requires that for the purpose of determining compliance with an applicable standard or numerical limitation, the numerical mean of three test runs shall be used, except when two of the three test runs are above the applicable limit. Compliance test results have been based on three sampling runs. Compliance with this rule will continue during the permit term and results/methods will be shown in submittals to the District. Permit conditions have been added to ensure compliance with this rule. See condition 43 of the facility-wide requirements (C-261-0-0).

Section 7.0 requires that the District be notified 30 days prior to source testing and that a compliance plan be submitted 15 days in advance of testing. Testing shall be witnessed by District personnel and source test reports must be submitted within 60 days of completion of field testing. Permit conditions have been added to ensure compliance with this rule. See conditions 15 and 16 of the requirements for permit unit C-261-2-5, and conditions 11 and 12 of the requirements for permit units C-261-3-1 and C-261-4-2.

District Rule 1081 has been submitted to the EPA to replace Fresno County APCD Rule 110. The requirements of these rules are compared below, showing that the District rule is at least as stringent as the County rule.

Table 1 - Comparison of District Rule 1081 and Madera County Rule 110

| Requirements | District Rule 1081 | MCAPCD Rule 110 |
|--|-----------------------|--------------------|
| Upon request of the APCO, the source shall provide | X | X |

| | | |
|---|---|---|
| information and records to enable the APCO to determine when a representative sample can be taken. | | |
| The facility shall collect, have collected or allow the APCO to collect a source sample. | X | X |
| The source shall have District personnel present at a source test. | X | |
| The applicable test method, if not specified in the rule, shall be in accordance with 40 CFR 60, Appendix A. | X | |
| Test procedures: 1) arithmetic mean of three runs 2) a scheduled source test may not be discontinued solely due to the failure to meet the applicable standard(s), and 3) arithmetic mean of two runs is acceptable if circumstances beyond owner or operator control occurs. | X | |

3. District Rule 2520; 9.4.2 - Federally Mandated Operating Permits

Section 9.4.2 requires that periodic monitoring and/or recordkeeping be performed if none is associated with a given emission limit to ensure compliance. Periodic monitoring and recordkeeping, consisting of the retention of daily reports of process throughput rate and of maintenance records, will be supported by conditions 2, 10, 12, 13, and 14 of the requirements for permit unit C-261-2-5; conditions 3, 7, and 8 of the requirements for permit units C-261-3-1 and C-261-4-2.

4. District Rule 4201 - Particulate Matter Concentration

Section 3.1 requires that a source not discharge dust, fumes, or total suspended particulate matter emission in excess of 0.1 gr/dscf.

a. Permits Unit C-261-1-2

This permit is for batch material handling and storage silos controlled by fabric filters for dust collection. Under moderately heavy PM loading, well designed and operated fabric filter systems have been shown to reduced overall PM emissions to less than 0.010 gr/dscf, and often to less than 0.005 gr/dscf¹.

¹ Page 115, Air Pollution Engineering Manual, Air & Waste Managment Assoc., (a revision of AP-40) 1992.

Permit conditions 4-6 ensure that the filters are properly maintained and operated. A permit condition has also been added to ensure compliance with the emission limit of this rule. See condition 1 of the requirements for permit unit C-261-1-2. Therefore, compliance is expected.

b. Permits Units C-261-2-5 through 4-2

All gaseous pollutant streams through these permit units are expelled into the atmosphere through a high stack. Therefore, compliance will be shown at that emission point.

The ATCs limit the potential to emit (PE) of PM to 22.8 lb PM/hr, and annual source test reports show the average flowrate is greater than 200,000 dscfm. Therefore,

$$\frac{[(22.8 \text{ lb PM/hr})(7000 \text{ gr/lb})]}{[(200,000 \text{ dscfm})(60 \text{ min/hr})]} = 0.013 \text{ gr/dscf}$$

∴ compliance is expected

Source testing done at the facility has confirmed the above compliance demonstration. Permit conditions have been added to ensure continued compliance with the emission limits of this rule and associated testing, monitoring, and recordkeeping. See conditions 1, 12-14 and 23-27 of the requirements for permit unit C-261-2-5, and conditions 1, 8-10, and 13-18 of the requirements for permit units C-261-3-1 and C-261-4-2.

5. District Rule 4202 - Particulate Matter Emission Rate

Section 4.0 prohibits any source operation from discharging into the atmosphere particulate matter in excess of allowed limits.

The maximum allowable emission rate is given as a function of the process weight rate in section 4 of Rule 4202. The function is shown below.

For process rates up to 60,000 lbs/hour:

$$E = 3.59 P^{0.62}$$

For process rates greater than 60,000 lbs/hour:

$$E = 17.31 P^{0.16}$$

where: E = emission rate of particulate matter (lb/hr)

P = process weight rate (ton/hr)

a. Permit Unit C-261-2-5

The ATC limits the potential to emit (PE) of PM to 8.4 lb PM/hr and the maximum process rate to 325 tons/day (hourly maximum process rate is assumed to be 13.5 tons/hr). Therefore,

$$E = 3.59 (13.5)^{0.62} = 18.0 \text{ lb PM/hr}$$

∴ compliance is expected

Source testing done at the facility has confirmed the above compliance demonstrations. Conditions 2, 12-14 and 23-27 of the requirements for permit unit C-261-2-5 have been added to ensure continued compliance with the emission limits of this rule and associated testing and monitoring.

b. Permit Unit C-261-3-1

The ATC limits the potential to emit (PE) of PM to 11.8 lb PM/hr and the maximum process rate to 260 tons/day (hourly maximum process rate is assumed to be 10.8 tons/hr). Therefore,

$$E = 3.59 (10.8)^{0.62} = 15.7 \text{ lb PM/hr}$$

∴ compliance is expected

Source testing done at the facility has confirmed the above compliance demonstrations. Conditions 3, 8-10, and 13-18 of the requirements for permit units C-261-3-1 have been added to ensure continued compliance with the emission limits of this rule and associated testing and monitoring.

c. Permit Unit C-261-4-2

The ATC limits the potential to emit (PE) of PM to 11.8 lb PM/hr and the maximum process rate to 260 tons/day (hourly maximum process rate is assumed to be 10.8 tons/hr). Therefore,

$$E = 3.59 (10.8)^{0.62} = 15.7 \text{ lb PM/hr}$$

∴ compliance is expected

Source testing done at the facility has confirmed the above compliance demonstrations. Conditions 3, 8-10, and 13-18 of the requirements for permit units C-261-4-2 have been added to ensure continued compliance with the emission limits of this rule and associated testing and monitoring.

6. District Rule 4354 - Glass Melting Furnaces

Section 5.0 requires that the owner/operator of any container glass or fiberglass melting furnace shall not operate the furnace in such a manner that results in NO_x emissions exceeding 5.5 lb NO_x/ton glass. Condition 36 of the requirements for permit unit C-261-2-5 requires compliance with this rule. Source testing done at the facility have shown compliance with requirements of this section.

Section 6.0 describes the administrative requirements of the rule such as an emissions control plan, recordkeeping, compliance source testing and test methods. Conditions 10, 12, 15, 16, 26, 27 of the requirements for permit unit C-261-2-5 have been added to ensure compliance with the requirements of this rule.

7. Madera County APCD Rule 404 - Sulfur Compounds

This rule prohibits a person from discharging into the atmosphere sulfur compounds which would exist as a liquid or gas at standard conditions exceeding in concentration at the point of discharge 0.2 percent by volume calculated as sulfur dioxide on a dry basis averaged over 15 consecutive minutes.

Annual source testing at the final stack shall be used to demonstrate compliance with the requirements of this rule. See conditions 5, 7, 8, 9, 11, 12, 14, and 23 of the requirements for permit unit C-261-2-5; conditions 6, 8, and 10 of the requirements for permit units C-261-3-1 and C-261-4-2.

8. 40 CFR Part 68 - Chemical Accident Prevention Provisions

The requirements of this provision mandates that the subject facility submit to the proper authority a Risk Management Plan. Permit Condition 40 of the facility-wide requirements (C-261-0-0) requires compliance with this provision.

9. 40 CFR 60 PSD Permit SJ 80-02

This permit unit was not subject to NSPS Subpart CC at the time the applicant applied for an Authority to Construct this unit. However, EPA PSD permit SJ 80-02 was issued by EPA Region IX in 1979 (see Appendix C). The conditions of the PSD permit have been included in the proposed Operating Permit as condition 1 of the requirements for permit unit C-261-1-2; conditions 1-4, 7-16, and 18-35 of the requirements for permit unit C-261-2-5; conditions 1 and 3-18 of the requirements for permit unit C-261-3-1; conditions 1, 3-19, and 21 of the requirements for permit unit C-261-4-2, and conditions 41, 42, and 44-48 of the facility-wide requirement (C-261-0-0).

X. PERMIT SHIELD

A permit shield legally protects a facility from enforcement of the shielded regulations when a source is in compliance with the terms and conditions of the Operating Permit. Compliance with the terms and conditions of the Operating Permit is considered compliance with all applicable requirements upon which those conditions are based, including those that have been subsumed.

A. Requirements Addressed by Model General Permit Templates

By submitting model general permit template SJV-UM-0-0 the applicant has requested that a permit shield be granted for all the applicable requirements identified by the template. Therefore, the permit shield as granted in the model general permit template is included as conditions 38 and 39 of the facility-wide requirements (C-261-0-0).

By submitting model general permit template SJV-IC-1-0 the applicant has requested that a permit shield be granted for all the applicable requirements identified by the template. Therefore, the permit shield as granted in the model general permit template is included as condition 12 of the requirements for permit units C-261-27-1 through 31-1.

B. Requirements not Addressed by Model General Permit Templates

The applicant has requested a permit shield for each of the requirements listed below:

1. SJVUAPCD Rule 4201

Compliance with this requirement was addressed in Section IX and is ensured by condition 1 and 4-6 of the requirements for permit unit C-261-1-2, conditions 1, 12-14 and 23-27 of the requirements for permit unit C-261-2-5, and conditions 1, 8-10, and 13-18 of the requirements for permit units C-261-3-1 and C-261-4-2. Therefore, a permit shield is being granted for this Rule in condition 7 of the requirements for permit unit C-261-1-2; condition 37 of the requirements for permit unit C-261-2-5; condition 19 of the requirements for permit unit C-261-3-1; and condition 20 of the requirements for permit unit C-261-4-2.

2. District Rule 4202

Compliance with this requirement was addressed in Section IX and is ensured by conditions 2, 12-14 and 23-27 of the requirements for permit unit C-261-2-5; condition 3, 8-10, and 13-18 of the requirements for permit units C-261-3-1 and C-261-4-2. Therefore, a permit shield is being granted for this Rule in condition 37 of the requirements for permit unit C-261-2-5; condition 19 of the requirements for permit unit C-261-3-1; and condition 20 of the requirements for permit unit C-261-4-2.

3. Madera County Rule 404

Compliance with this requirement was addressed in Section IX and is ensured by conditions 5, 7, 8, 9, 11, 12, 14, and 23 of the requirements for permit unit C-261-2-5; conditions 6, 8, and 10 of the requirements for permit units C-261-3-1 and C-261-4-2. Therefore, a permit shield is being granted for this Rule in condition 42 of the requirements for permit unit C-261-2-5; condition 33 of the requirements for permit unit C-261-3-1; and condition 33 of the requirements for permit unit C-261-4-2.

XI. PERMIT CONDITIONS

See draft permits beginning on the next page.

XII. EPA AND PUBLIC COMMENTS

See Attachment F

ATTACHMENT F

EPA COMMENTS / DISTRICT RESPONSE